THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.10883 OF 2006

DATED: 25-06-2007

BETWEEN

T. Ajit Singh,
S/o. Late T. Jairaj Singh,
Occ: Business, R/o.3-6-238/C,
Himayatnagar, Hyderabad.

...PETITIONER

AND

State of Andhra Pradesh,
Rep. by its Secretary,
Home, Secretariat Buildings,
Hyderabad and others.

...RESPONDENTS

ORDER:

Petitioner seeks a Writ of Mandamus to direct the respondents not to interfere with his business being carried on in the name and style of Hotel Aarthi in premises bearing No.3-6-238/C, Himayatnagar, Hyderabad.

2. Petitioner makes certain allegations against the fifth respondent – Station House Officer, Narayanaguda, Hyderabad, stating that the fifth respondent always comes to his hotel for a room and abuses the reception staff when they request him to enter his name and address in the register, therefore, the fifth respondent bore grudge against him and started harassing him and the customers occupying the rooms in his hotel. The fifth respondent intends to have a room without entering his name and address in the register.

3. The third respondent filed a counter stating that the allegations made against the fifth respondent have been enquired into and found to be false. It is stated that in exercise of the powers under Section 21 Clause (1) Para (f) Sub-clause (1) of the City Police Act certain rules are framed and enforced regarding the public places of halting requiring the hotel owners to make certain records and furnish them during police enquiry. It is further stated that in view of the activities of the criminals and anti-social elements, who generally stay in the lodges of the city for reccee, survey and committing offences and in view of the fact, that the offenders who looted the diamonds and jewellry from Alukas Jewellry at Panjagutta and Tara Jewellry, Abids stayed in the lodges of the city, as part of general preventive strategy and as a part of keeping watch and surveillance on the criminals and anti-social elements, lodge checking is being done and advisory instructions have been given from time to time to the managements of the lodges to take certain measures to avoid criminals and anti-social elements from taking shelter in the lodges. Pursuant to the instructions given by the Commissioner of City Police, the respondents 4 and 5 visited the lodge of the petitioner for the purpose of making similar checks but not with an intention to interfere with the business of the petitioner and not to harass the petitioner or his staff or his customers.

4. In view of the aforesaid categorical denial of the allegations of the petitioner, I am of the opinion that no relief can be granted to the petitioner in the writ petition. However, I am of the opinion that it is for the Commissioner of Police to have a regular check over certain erring officers, who may misuse their position to illegally occupy the lodges against the wish and will of the management.

The writ petition is accordingly dismissed. There shall be no order as to costs.

_____

V. ESWARAIAH, J

June 25, 2007
DSK